

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.97 OF 2006

Mr. Manish Lalbahadursingh Singh ...Applicant.

V/s

The State of Maharashtra
(Through Versova Police Station
C.R. No.132/200).

...Respondent.

Mr. A.M. Saraogi for the applicant.

Mr. S.D. Shinde, APP for the State.

CORAM: V.M. KANADE, J.

DATE: 31st January, 2006

P.C:

1. The learned Counsel for the applicant submits that, in the present application it has been stated that the applicant on the date of the incident was hospitalized at his native place and at the relevant time since the documents were not available this point was not agitated in the trial court or even before this Court. He submits that since this point was not agitated in the Sessions Court, he may be permitted to withdraw the present application with liberty to file an application in the Sessions Court.

2. Under the circumstances, the present application is allowed to be withdrawn with liberty to move the

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Sessions Court to raise the new ground which is raised
for the first time in this application.

V.M. KANADE, J.